HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.6531 of 1998

14.6.2007

Between

Syed Mahaboob Peer ..Petitioner

AND

The District Educational Officer, Kurnool and another ..Respondents

:: JUDGMENT ::

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.6531 of 1998

This writ petition has been instituted seeking the following relief:

> "It is therefore prayed that this Hon'ble Court may be pleased to pass orders particularly one in the nature of writ of mandamus, declaring the proceedings of the 1st respondent in Rc.No.951/B4/96 dated 23.2.1998 as arbitrary, illegal, violative of Articles 14 and 21 of the Constitution of India, and consequently direct the respondents to appoint the petitioner as Secondary Grade Teacher as per merit, and grant such other relief at this Honouble High Court may deem fit and proper, in the circumstances of the case".

But, however, the controversy has just been narrowed down to a great extent because of the subsequent developments. The Teachers who can teach the subject of the language of Arabic are very few and far between. Therefore, the availability of their limited numbers has got to be put to effective and proper utilization so that the Schools where the services of such Teachers are needed, will not languish for want of such Teachers. Realizing these features, pursuant to the interim orders passed by this Court in this writ petition, the District Educational Officer, Kurnool passed orders on 11.10.1998 to the following effect:

> "In pursuance of the orders 3rd cited, and subject

to final orders in W.P.No.6531/98 and in partial modification of the orders issued in this office procs.Rc.No.951-B4/96, dt.23.2.98, the selection of Sri Syed Mahaboob Peer as Unaided Urdu SGBT as recommended by the staff selection committee on 21.12.97 is provisionally approved subject to verification of genuineness of T.G.H. of the candidate and subject to acquisition of the minimum general educational qualifications of Intermediate by the individual within two years from the dates of appointment without financial commitment to Government either now or in future.

The Correspondent is requested to issue separate appointment order as per Sub Rule 9 of Rule 12 of G.O.Ms.No.1, Edn., dt.1.1.1994."

Subsequently, the District Educational Officer has also passed orders through his proceedings dated 13.8.2003 admitting the writ petitioner Sri Syed Mahaboob Peer, Secondary Grade Teacher into Aided Secondary Great Teacher's vacancy caused due to the retirement of Sri Abdul Quddus who retired on 30.6.2003 on attaining the age of superannuation. Thus, the grievance of the writ petitioner fairly to a large extent, appears to have been redressed. However, if the petitioner feels that any of his subsisting grievances have not been redressed by the orders passed by the District Educational Officer through his proceedings dated 13.8.2003, it is open to him to ventilate the same by submitting a proper representation to the District Educational Officer, Kurnool within a further period of four weeks from the date of receipt of a copy of this order, which I have no doubt in my mind that the District Educational Officer, Kurnool would redress appropriately as expeditiously as possible.

With this, the writ petition stands disposed of. No costs.

NOOTY RAMA MOHANA RAO.J.

14.6.2007
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